

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,
v.
Case No. 1:15-cr-69
JUDGE DOUGLAS R. COLE

JASON GMOSER,

Defendant.

CRIMINAL MINUTES: SENTENCING

AUSA Christy Muncy appeared for the Government

Defendant appeared with counsel Bradley Kraemer

Defendant sentenced as follows:

360 Months Imprisonment to run concurrent with the sentence imposed in United States District Court, Central District of Illinois case 14-CR-20048-004

Recommendations:

That the Defendant be placed in a federal medical facility other than FMC Lexington

That the Defendant participate in sex offender treatment

That the Defendant participate in mental health treatment

Lifetime Supervised Release

Conditions:

Must not commit another federal, state, or local crime

Shall be prohibited from possessing a firearm, ammunition, destructive device, or dangerous weapon

Shall not unlawfully possess a controlled substance

Must refrain from the unlawful use a controlled substance

Must cooperate in the collection of his DNA

Must comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which the defendant resides, works, is a student, or was convicted of a qualifying offense

Shall comply with the standard conditions of supervised release that have been adopted by this Court

Shall not view or possess material, images, videos, or computer files containing sexually explicit conduct as defined by 18 U.S.C. §§ 2256(2)(A) and (B)

Shall participate in a sexual offender treatment program, to include a sex offender risk assessment, psycho-sexual evaluation and/or other evaluations needed. The defendant shall follow the rules and regulations of the sex offender treatment program as approved by the probation office. The defendant shall sign all necessary authorization forms to release confidential information so that treatment providers, the probation officer, polygraph examiner, and others (as necessary) are allowed to communicate openly about the defendant's course of treatment, and progress in treatment. The defendant shall make a co-payment for sex offender treatment services not to exceed \$25 per month, which is determined by the probation officer's assessment of the defendant's ability to pay

Shall be subject to periodic polygraph examinations at the discretion and direction of the probation officer as means to ensure that the defendant is in compliance with the requirements of his or her supervision or treatment. The polygraph testing will be at the defendant's expense, based on the probation officer's assessment of the defendant's ability to pay

Shall have his residence and employment pre-approved by the probation officer and in compliance with state and local law

Shall submit to the installation of software, and to monitor computer activities on any computer the defendant is authorized to use at the defendant's expense. The software will record any and all activities on the defendant's computer. The software will be checked on a periodic basis. The defendant has no expectations of privacy regarding computer use or information stored on the computer and shall make other users of said computer aware of the monitoring software. The defendant understands that any information gathered by said software may be used against the defendant in subsequent court actions regarding the defendant's computer use and the conditions of supervision. Furthermore, the defendant shall comply with the rules set forth in the Computer and Internet Monitoring Agreement and the Computer and Internet Acceptable Use Agreement as adopted by the Southern District of Ohio

Shall, in consideration of 18 U.S.C. § 3583(d)(3), submit and/or surrender any media device, to which they have access and/or control, to a search based on reasonable suspicion of contraband or evidence of a violation of a condition of supervision. A media device is defined as, but not limited to, any device which is capable of accessing the internet, storing images, text, or other forms of electronic communication

Shall have no contact with any minors with exception of the defendant's own children. The term contact extends to all forms of communication such as email, telephone, text, letter, and any other form of electronic communication. This provision does not encompass persons under age 18 such as ticket vendors, cashiers, or waiters with whom the defendant must deal in order to obtain normal commercial services. The defendant shall be prohibited from loitering

where minors congregate, such as, but not limited to, playgrounds, arcades, amusement parks, recreation parks, sports events involving minors, shopping malls, and public swimming pools

Special Assessment: \$100

Fine: \$0

Restitution: \$0

Forfeiture

- 1) A Sony Camera, serial number 3515950
- 2) Lexar 1 GB Memory Stick
- 3) Sony 4GB Memory Stick
- 4) Three (3) SanDisk Thumb Drives labeled, Recovery; UBCD 4WM 3.60 Windows SerVer 2003 SP2; and Parted Magic
- 5) Western Digital 40GB Hard Drive; Serial No. WXC4060222l8
- 6) One External Western Digital Hard Drive with Power Cord; Serial No. WCAWZ1809056
- 7) One External Western Digital Hard Drive with Power Cord; Serial No. WCAWZ1628172
- 8) One External Western Digital Hard Drive with Power Cord; Serial No. WCAWZ0670461
- 9) One External Western Digital Hard Drive with Power Cord; Serial No. WCAVY0031389
- 10) One External Western Digital Hard Drive with Power Cord; Serial No. WCAVY0088890
- 11) One External Western Digital Hard Drive with Power Cord; Serial No. WCAWZ0731050
- 12) One External Western Digital Hard Drive with Power Cord; Serial No. Unknown
- 13) One External Western Digital Hard Drive with Power Cord; Serial No. WXGIAB0H9564
- 14) Patriot 8GB Micro SD Card with Adaptor; Serial No. Unknown
- 15) One Western Digital My Passport Hard Drive with Power Cord; Serial No. WXVI E30XYX35T
- 16) One Western Digital My Passport Hard Drive with Power Cord; Serial No. WXMIAB0Y6625
- 17) One Western Digital My Passport Hard Drive with Power Cord; Serial No. WX41C32D7404
- 18) One Western Digital My Passport Hard Drive with Power Cord; Serial No. WXT1CB 1S4712
- 19) One Western Digital My Passport Hard Drive with Power Cord; Serial No. WXR1 A3063089
- 20) SanDisk Cruzer 32GB Thumb Drive; Serial No. Unknown
- 21) SanDisk Cruzer 8GB Thumb Drive; Serial No. Unknown
- 22) SanDisk Cruzer 2GB Thumb Drive; Serial No. Unknown
- 23) One 32GB PNY Micro SD Card with Adapter; Serial No. Unknown

- 24)Sony Play Station 3 Console with One Controller; Serial No. CE804470955-CECHH01
- 25)Logitech Video Web Camera with Cord; Serial No. 1236LZ0FK3V8
- 26)Nokia Cellular Phone; IMEI351967/05/197633/5
- 27)Coolmax Dual Bay SSTA Raid External Hard Drive with Power Cord; Serial No. MQ0509105106
- 28)Coolmax Dual Bay SSTA Raid External Hard Drive with Power Cord; Serial No. MQ0509 105359
- 29)Sony Vaio Laptop Computer with Cords; Serial No. 545709390000269
- 30)HP Pavilion Elite Desktop Computer; Serial No. MXX0250GXJ
- 31)HP Pavilion Elite Desktop Computer; Serial No. MXX029041K
- 32)Raid Computer Tower with Cords; Serial No. A328ADAEAR200018
- 33)Raid Computer Tower with Cords; Serial No. A225ADAEAR200088
- 34)HGST Hard Drive; Serial No. 6PGMJMUC
- 35)Bitmain Antminer Labeled "8-18-14" "3"; Serial No. Unknown
- 36)Bitmain Antminer Labeled "8-19-14" "5"; Serial No. Unknown
- 37)Bitmain Antminer Labeled "8-18-14" "4"; Serial No. Unknown
- 38)Bitmain Antminer Labeled "7-24-14" "1", Serial No. Unknown
- 39)Bitmain Antminer Labeled "7-31-14 8/12/14 100%" "2"; Serial No. Unknown
- 40)Box Containing 7 Bitmain Antminer Accessories; Serial No. Unknown
- 41)Seagate Hard Drive; Serial No. 5PV1A4T2
- 42)All additional items seized, including, but not limited to: all storage media, (micro SD cards, 8 mm video tapes, Zip drives, CDs, mini CDs, CDRs, DVDs, mini DVDs, floppy disks, VHS tapes, and cassette tapes), documents, packages and photographs
- 43)All pornographic material, whether depicting adults or minors or both, and all photographs which depicts minors, other than photographs of clothed minor members of Gmoser's family

Defendant remanded to the custody of the U.S. Marshal

Judge: **Douglas R. Cole**

Courtroom Deputy: **Scott Lang**

Court Reporter: **Sue Lopreato-Official**

Date: **May 31, 2023**